

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

REX MEDICAL L.P.,

Plaintiff,

v.

DATASCOPE CORP.,

Defendant..

C.A. No. 05-028-GMS

STIPULATION AND ORDER STAYING CASE

WHEREAS, the parties have attempted to settle this action and believe the resolution of a patent action involving products at issue in this action, which other action is styled as *The Johns Hopkins University and Arrow International, Inc. v. Datascope Corporation*, Civil Action No. DWO 05-CV-0759 (U. S. D. C., D. Md.) (the "Patent Action"), may facilitate their attempts to settle this action in its entirety.

WHEREAS, the parties agree that this litigation will proceed most efficiently for the parties and for the Court if this litigation is stayed on the terms set forth below until 90 days after the disposition of the Patent Action in the district court, whether by motion, verdict, judgment or settlement.

NOW, THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, as follows:

1. This action shall be and hereby is stayed in its entirety.
2. The stay provided herein shall expire without any further action by the parties or the Court on the ninetieth (90th) day after the disposition of the Patent Action in the district court, whether by motion, verdict, judgment or settlement and the parties in this action shall meet and confer within those ninety (90) days to determine if they can negotiate a settlement of this action.
3. Also, at any time prior to the time the stay expires in accordance with paragraph 2 above, either party may request in writing that the Court lift the stay for good cause and request a conference to obtain an Amended Scheduling Order for trial of this matter. Any such request shall be unopposed provided that the party requesting that the stay be lifted gives written notice to the other party of its intent to make such a request in writing, ninety (90) days prior to making the request.
4. If the parties in this action have not reached a settlement of this action by the time the stay expires in accordance with paragraph 2 above, the parties will so notify the

Court and request a conference to obtain an Amended Scheduling Order for trial of this matter.

/s/ Gregory B. Williams

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Attorneys for Defendant Datascope Corp.

Dated: June 2, 2006

SO ORDERED this _____ day of _____, 2006.

United States District Judge